



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

980 Ninth Street, Suite 400

Sacramento, CA. 95814-2724

September 05, 2003

IN REPLY REFER TO
HDA-CA
Document # 43660

Mr. Jeff Morales, Director
California Department of Transportation
1120 N Street
Sacramento, California 95814

Attention: Federal Resources Branch, Room 3500
For Kris Balaji, Transportation Programming

Dear Mr. Morales:

SUBJECT: FY 2002/03 FSTIP Amendment No. 4 – Kings County Association of
Governments (KCAG)

We have completed our review of Amendment No. 4 to the KCAG 2002/03-2004/05 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated August 1, 2003. KCAG adopted this amendment with Resolution No. 03-14, on July 24, 2003. This amendment deletes a Transportation Enhancement Activity (TEA) funded scenic easement acquisition project, and adds or modifies various Federal Transit Administration 5307 and 3037 projects for the Kings County Area Public Transit Agency.

We accept this amendment in accordance with the provisions of 23 CFR Part 450. We find that this FTIP amendment was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the provisions of 23 U.S.C. section 134, and section 8 of the Federal Transit Act (49 U.S.C. app. §1607).

Based on our review, the changes proposed to the 2002/03 FSTIP require no new regional emissions analysis for a conformity determination because projects included in this amendment either do not require a new regional emissions analysis per the provisions of 40 CFR 93.122(e)(1), or are the type of projects listed in 40 CFR 93.126 or 93.127 as being exempt from regional emissions analysis requirements. We find that the amended FTIP through Amendment No. 4 conforms to the applicable SIP in accordance with the provisions of 40 CFR Parts 51 and 93 as well as the Environmental Protection Agency's (EPA) May 14, 1999, guidance *Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision*. This approval was made after consultation with the EPA pursuant to the *Transportation Conformity Rule*.

This letter constitutes approval and inclusion of KCAG's FTIP Amendment No. 4 into California's 2002/03 – 2004/05 Federal Statewide Transportation Improvement Program (FSTIP).

If you have any questions, or need further information, please contact Leigh Levine of the Federal Highway Administration California Division office at (916) 498-5034, or Ted Matley of the Federal Transit Administration Region 9 office at (415) 744-2590.

Sincerely,

/s/ Leslie T. Rogers
 Leslie T. Rogers
 Regional Administrator
 Federal Transit Administration

/s/ Mayela Sosa
 For
 Gary N. Hamby
 Division Administrator
 Federal Highway Administration

cc:

(Mail)

Ted Matley, FTA Region IX
 William R. Zumwalt, KCAG
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 Kris Balaji, Caltrans, Office of Federal Program Management

(Other)

KCAG FTIP Binder

LLevine: lmg